Billy G. Hurt, Ph.D 217 Wood Trace P. O. Box 898 Benton, KY 42025

January 18, 2002

Attorney General John Ashcroft 950 Pennsylvania Avenue, NW Washington, DC 20530-0001

Dear Mr. Ashcroft:

For the past six months, Microsoft and the Department of Justice have participated in round-the-clock negotiations hosted by a court-appointed mediator, the result of which was a comprehensive settlement. For the past sixty days, the settlement has been under review while the Justice Department debates the fairness of the terms.

The settlement does not let Microsoft off the hook easily. The settlement negotiations were meticulous; in fact, some of the terms reached cover products and practices not found to be unlawful by the Court of Appeals. Microsoft has agreed to a wide range of obligations and prohibitions, none of which fail to address the complaints of the plaintiff states. For instance, Microsoft has agreed to reformat future versions of Windows in order to support non-Microsoft software, and computer makers have been granted rights to configure Windows so as to promote their own software. Microsoft has also agreed to provide any party acting under the terms of the agreement with a license to applicable intellectual property rights. I do not believe that, with this settlement available, additional

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intellectual property rights. I do not believe that, with this settlement available, additional litigation is necessary.

Mr. Ashcroft, I am of the opinion that the remaining litigious plaintiff states are driven by greed, not by justice. Microsoft should be rewarded for its ingenuity, not punished for its success. America was touted as the land of opportunity when colonization began; free enterprise was encouraged and fostered. What has the justice system come to when successful entrepreneurs are stripped of their power to line the pockets of political vultures. I urge you not to allow this to become the standard in justice. Endorse the settlement, Mr. Ashcroft, and allow Microsoft to move on.

Sincerely,

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